

COOPERATIVE DRIVER TESTING PROGRAM (CDTP) INSTRUCTOR REVIEW PROCEDURES

1. When a local driver license examiner (Examiner) observes or learns of an incident(s) of noncompliance by a CDTP qualified driver education instructor (Instructor), the Examiner shall communicate with the Instructor to identify areas of non-compliance and offer information and assistance to correct the incident(s).
2. When an Instructor does not follow the required procedures and policies of the CDTP program and does not respond to the assistance of the Examiner provided as required in number 1 (one) above, the Examiner shall document the incident(s) and report the same to the chief of the Field Operations Bureau (FOB) of the Department of Justice, Motor Vehicle Division in Helena.
3. The FOB Chief or the chief's designee shall review the incident(s) reported by the Examiner. If the chief or the chief's designee believes that the incident(s) warrant further investigation, the chief or designee shall direct the regional driver license examiner (Regional Manager) for the geographic area in which the CDTP program is located to conduct further investigation and review the documentation of the Examiner and the paperwork submitted by the Instructor (applications, TE04, etc.).
4. The Regional Manager shall report her/his findings to the chief of the Field Operations Bureau of the Department of Justice, Motor Vehicle Division. The FOB Chief, in consultation with the Office of Public Instruction (OPI) traffic education director, shall determine an appropriate course of action. If it is felt a meeting with the Instructor is warranted, FOB Chief shall request the Regional Manager schedule a meeting with the Instructor to review items in question and issues that need to be addressed. If it is felt the Examiner has acted in error, FOB Chief shall request the Regional Manager provide additional assistance to the Examiner.
5. If two or more incidents concerning one Instructor are reported and an investigation establishes they are valid, the FOB Chief shall notify the Instructor that the Instructor must attend the next available CDTP training class.
6. If the Instructor fails to comply or to respond with favorable improvement, upon consultation with the OPI traffic education director, the FOB Chief shall revoke the Instructor's CDTP approval status. The Instructor may contest the revocation recommendation by filing a written objection to the action and request for hearing with the administrator of the Motor Vehicle Division within 30 days of the date of the notice of revocation. The administrator shall appoint a hearing examiner to preside over a contested case hearing regarding the revocation recommendation and following hearing, submit a proposed decision to the administrator, who shall make the final determination in accordance with the requirements of the Montana Administrative Procedure.

ITEMS WHICH CONSTITUTE NONCOMPLIANCE (including, but not limited to):

1. The Instructor does not appropriately guard the Department of Justice Driver License Knowledge Test (DLKT) against theft, copying, or cheating due to one or more of the following:
 - The Instructor does not store the DLKT in a secure location and manner.
 - The Instructor does not administer the DLKT in a supervised setting.
 - The Instructor does not administer the test using appropriate security techniques.
2. The Instructor does not complete the goldenrod copy of the OPI “Certification Page” (TE03--must be signed) and “Student List” (TE04), and/or does not indicate with an “X” in the appropriate column, those students who were successful and are to be waived from the requirement to take the DOJ Knowledge Test at the Driver Exam Station.
3. The Instructor does not forward the goldenrod copy of the “Certification and Student List Page” and all Driver License Applications to the appropriate Driver Exam Station within three days.
4. The Instructor does not issue all students an appropriate License or Permit:
 - Traffic Education Learner License (TELL)--if the DLKT is successfully completed; or
 - Restricted Instruction Permit (RIP)--if the DLKT is not taken or successfully completed.
5. The Instructor does not complete the green copy of the “Certification and Student List Page” (forms TE03 and TE04) and/or does not submit them to the appropriate Driver Exam Station, along with the driving test documentation (form 21-1800) if the student is waived from the driving skills test.
6. Driver exam office audits of students, to whom the Instructor gave driving test waivers, indicate repeated driving violations and errors.
7. Driver license applications submitted by the CDTP Instructor are incomplete or completed with errors.
8. Students report they are not receiving the hours of driving time required by law, and/or some of the driving performance training is not provided (i.e., the instructor did not teach parallel parking, or how to complete a legal left hand turn in various types of intersections).